



General Assembly

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19 February 2004

Fifty-eighth session
Agenda item 110

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/501)]

58/144. Improvement of the status of women in the United Nations system

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women,¹ of achieving overall gender equality, particularly at the Professional level and above, by 2000 and the further actions and initiatives set out in the outcome document adopted by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century",²

Recalling further its resolution 57/180 of 18 December 2002, as well as its resolution 57/305 of 15 April 2003, in particular section II, paragraphs 39 to 41 thereof,

Taking note of Commission on Human Rights resolution 2003/44 of 23 April 2003 on integrating the human rights of women throughout the United Nations system,³ in particular paragraph 15 thereof, in which the Commission recognized that gender mainstreaming would strongly benefit from the enhanced and full participation of women, including at the higher levels of decision-making within the United Nations system,

Taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States,

¹ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

² Resolution S-23/3, annex.

³ See Official Records of the Economic and Social Council, 2003, Supplement No. 3 (E/2003/23), chap. II, sect. A.

from countries with economies in transition and from unrepresented or largely underrepresented Member States,

Noting with appreciation the efforts of the Office of Programme Planning, Budget and Accounts, the Office of Human Resources Management, the Department of Public Information, the Office of the Under-Secretary-General for Management and the Executive Office of the Secretary-General and the United Nations Institute for Training and Research in achieving or maintaining the goal of gender balance, as well as those departments and offices that have met or exceeded the goal of 50 per cent in the selection of women candidates for vacant posts in the past year,

Expressing particular concern that, for the second consecutive year, there was a slowing of progress towards achieving the target of 50/50 gender balance and that between 1998 and 2003 there has been almost no progress in the rate of representation of women in appointments of one year or more at the Professional and higher levels,

Expressing concern that there is still only one female special representative of the Secretary-General,

Welcoming the work of the Department of Peacekeeping Operations of the Secretariat in issuing guidance for field missions on the procedures to be followed for handling disciplinary issues and allegations of serious misconduct involving mission personnel, and encouraged by the agreement in the Staff-Management Coordination Committee that the procedure for dealing with all forms of sexual harassment will be reviewed and incorporated in a new administrative instruction covering all forms of harassment,

Welcoming also the new flexible working arrangements authorized in all departments and offices of the Secretariat,⁴

Noting with concern that the statistics on the representation of women in some organizations of the United Nations system are not fully up to date,

1. *Takes note with appreciation* of the report of the Secretary-General⁵ and the actions described therein;

2. *Regrets* that the goal of 50/50 gender distribution was not met by the end of 2000, and urges the Secretary-General to redouble his efforts to realize significant progress towards this goal in the very near future;

3. *Reaffirms* the urgent goal of achieving 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, and also taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, from countries with economies in transition and from unrepresented or largely underrepresented Member States;

4. *Expresses concern* that in three departments and offices of the Secretariat women still account for less than 30 per cent of professional staff and that in three organizations of the United Nations system women still account for less than

⁴ See ST/SGB/2003/4.

⁵ A/58/374.

20 per cent of professional staff, and encourages the Secretary-General and the executive heads of the organizations of the United Nations system to intensify their efforts to meet the goal of gender balance within the United Nations system;

5. *Welcomes:*

(a) The ongoing personal commitment of the Secretary-General to meeting the goal of gender equality and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;

(b) The pledge of the executive heads of the organizations of the United Nations system to intensify their efforts to meet the gender equality goals set out in the Beijing Declaration⁶ and Platform for Action;¹

(c) The inclusion of the objective of improving gender balance in action plans on human resources management for individual departments and offices, and encourages further cooperation, including the sharing of best-practice initiatives, between heads of departments and offices, the Special Adviser on Gender Issues and Advancement of Women and the Office of Human Resources Management of the Secretariat in the implementation of those plans, which include specific targets and strategies for improving the representation of women in individual departments and offices;

(d) The decision, within the context of the new staff selection system,⁷ to hold heads of departments and offices accountable for meeting the gender targets in departmental human resource action plans through their performance compacts;

(e) The continuing designation of focal points for women in the United Nations system, and requests the Secretary-General to ensure that the focal points are designated at a sufficiently high level and enjoy full access to senior management, both at Headquarters and in the field;

(f) The continuing provision of specific training programmes on gender mainstreaming and gender issues in the workplace, tailored to meet the special needs of individual departments, commends those heads of departments and offices who have launched gender training for their managers and staff, and strongly encourages those who have not yet organized such training to do so as soon as possible;

(g) The formulation of a project by the Office of the Under-Secretary-General for Management to strengthen the efforts of the Secretary-General to achieve gender balance by adopting a more coordinated and integrated approach to this issue, with the purpose of setting and achieving verifiable goals to ensure that gender balance targets are attained by 2006;

(h) The preparation of a research-based analysis by the Office of the Special Adviser on Gender Issues and Advancement of Women, to be presented to the General Assembly at its fifty-ninth session, of the probable causes of the slow advancement in the improvement of the status of women in the United Nations system, with a view to elaborating new strategies for achieving gender parity;

⁶ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

⁷ See ST/AI/2002/4.

(i) The commitment of the Office of Human Resources Management and the Office of the Special Adviser on Gender Issues and Advancement of Women to explore ways to better integrate the departmental focal points in the new staffing system, so that the focal points can continue to play an important role for the periodic and systematic monitoring of the recruitment, retention and career advancement of women,⁸ and looks forward to information on this matter in the next report;

6. *Requests* the Secretary-General, in order to achieve and maintain the goal of 50/50 gender distribution with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter:

(a) To continue to develop innovative recruitment strategies to identify and attract suitably qualified women candidates, particularly from and in developing countries and countries with economies in transition and other Member States that are unrepresented or underrepresented in the Secretariat, and in occupations in which women are underrepresented;

(b) To encourage the United Nations system and its agencies and departments to make more effective use of existing information technology resources and systems and other established methods to disseminate information about employment opportunities for women and to better coordinate rosters of potential women candidates;

(c) To continue to monitor closely the progress made by departments and offices in meeting the goal of gender balance, to ensure that the appointment and promotion of suitably qualified women represents at least 50 per cent of all appointments and promotions until the goal of 50/50 gender distribution is met;

(d) To strongly encourage heads of departments and offices to continue selecting female candidates when their qualifications are the same as, or better than, those of male candidates, and to effectively encourage, monitor and assess the performance of managers in meeting targets for improving women's representation;

(e) To encourage consultation by heads of departments and offices with departmental focal points on women during the selection process and to ensure that the focal points are designated at a sufficiently high level and enjoy full and effective access to senior management;

(f) To extend ongoing training and sensitization of managers on gender balance issues;

(g) To enable the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively contribute to, monitor and facilitate the setting and implementation of gender targets in human resource action plans, including by ensuring access to the information required to carry out that work;

(h) To intensify his efforts to create, within existing resources, a gender-sensitive work environment supportive of the needs of his staff, both women and men, including by actively pursuing appropriate work/life policies, such as flexible working time, flexible workplace arrangements, career development, mentoring programmes and childcare and elder-care needs, as well as through the provision of more comprehensive information to prospective candidates and new

⁸ See A/58/374, para. 76.

recruits on employment opportunities for spouses, the provision of support for the activities of women's networks and organizations within the United Nations system and the expansion of gender-sensitivity training in all departments, offices and duty stations, including more information and training of staff and managers on the benefits of the work/life policies on productivity and effectiveness;

(i) To continue to work to strengthen further the policy against harassment, including sexual harassment, by, inter alia, ensuring the full implementation of the guidelines for its application at Headquarters and in the field;

7. *Strongly encourages* the Secretary-General, in the context of his commitment to set concrete targets for the appointment of women as his special representatives and special envoys in order to reach the target of 50/50 gender balance by 2015,⁹ to intensify his efforts to appoint more women as special representatives and envoys to pursue good offices on his behalf, especially in matters related to peacekeeping, peace-building, preventive diplomacy and economic and social development, as well as in operational activities, including appointment as resident coordinators, and to appoint more women to other high-level positions;

8. *Encourages* the Secretary-General and the executive heads of the organizations of the United Nations system to continue to develop common approaches for retaining women, promoting inter-agency mobility and improving career development opportunities;

9. *Encourages* the United Nations and Member States to continue to implement the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", pertaining to the improvement of the status of women in the United Nations system;²

10. *Strongly encourages* Member States:

(a) To support the efforts of the United Nations and the specialized agencies, funds and programmes to achieve the goal of 50/50 gender distribution, especially at senior and policy-making levels, by identifying and regularly submitting more women candidates for appointment to positions in the United Nations system, by identifying and proposing national recruitment sources, including through the establishment of networks with professional organizations, that will assist the organizations of the United Nations system in identifying suitable women candidates, in particular from developing countries and countries with economies in transition, by creating awareness among their nationals, particularly women, of available vacancies throughout the United Nations system, and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including in areas in which women are underrepresented, such as peacekeeping, peace-building and other non-traditional areas;

(b) To identify women candidates for assignment to peacekeeping missions and to improve the representation of women in military and civilian police contingents;

⁹ See S/2002/1154, para. 44.

(c) To identify and submit regularly more women candidates for appointment or election to intergovernmental, expert and treaty bodies;

(d) To identify and nominate more women candidates for appointment or election as judges or other senior officials in international courts and tribunals;

(e) To cooperate closely with the United Nations to facilitate spouse employment at all the major duty stations of the Secretariat and the organizations of the United Nations system;

11. *Requests* the Secretary-General to provide a verbal update to the Commission on the Status of Women at its forty-eighth session¹⁰ and to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution, including by providing up-to-date statistics on the number and percentage of women in all organizational units and at all levels throughout the United Nations system, as well as gender-segregated attrition rates for all organizational units and at all levels, as well as on the implementation of departmental human resource action plans, in particular for the achievement of the gender targets;

12. *Requests* the United Nations and the specialized agencies, funds and programmes of the United Nations system, in order to facilitate the preparation of the above-mentioned report, to submit personnel data on all appointments, promotions and mobility as well as to collect and submit data in a timely fashion to measure accurately progress in achieving gender parity for staff.

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¹⁰ See E/CN.6/2003/8, paras. 24 and 49.



General Assembly

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Agenda item 110**Resolution adopted by the General Assembly***[on the report of the Third Committee (A/58/501)]***58/145. Convention on the Elimination of All Forms of Discrimination against Women***The General Assembly,**Recalling* its resolution 57/178 of 18 December 2002 and its previous resolutions on the elimination of discrimination against women,*Bearing in mind* that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,*Reiterating* the need to intensify efforts to eliminate all forms of discrimination against women throughout the world,*Affirming* that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,*Recalling* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,¹ in which the Conference reaffirmed that the human rights of women and the girl child were an inalienable, integral and indivisible part of universal human rights,*Acknowledging* the need for a comprehensive and integrated approach to the promotion and protection of the human rights of women, which includes the integration of the human rights of women into the mainstream of United Nations activities system-wide,*Reaffirming* the commitments made in the political declaration² and the outcome document³ of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", in particular paragraphs 68 (c) and (d) concerning the Convention on the¹ A/CONF.157/24 (Part I), chap. III.² Resolution S-23/2, annex.³ Resolution S-23/3, annex.

Elimination of All Forms of Discrimination against Women⁴ and the Optional Protocol thereto,⁵

Recalling that, in the United Nations Millennium Declaration,⁶ heads of State and Government resolved to implement the Convention,

Recognizing that the equal enjoyment by women of all human rights and fundamental freedoms will promote the realization of the rights of the child, bearing in mind the special needs of girls, and acknowledging the mutual reinforcement of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child⁷ and the Optional Protocols thereto,⁸

Welcoming the progress made in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, but expressing concern about the remaining challenges,

Welcoming also the growing number of States parties to the Convention, which now stands at one hundred and seventy-five,

Recalling the entry into force on 22 December 2000 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,

Bearing in mind the recommendation of the Committee on the Elimination of Discrimination against Women that national reports should contain information on the implementation of the Beijing Platform for Action,⁹ in accordance with paragraph 323 of the Platform,

Having considered the report of the Committee on its twenty-eighth and twenty-ninth sessions,¹⁰

Expressing concern at the great number of reports that are overdue and that continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention,

1. *Welcomes* the report of the Secretary-General¹¹ on the status of the Convention on the Elimination of All Forms of Discrimination against Women;⁴

2. *Expresses disappointment* that universal ratification of the Convention was not achieved by 2000, and urges all States that have not yet ratified or acceded to the Convention to do so;

3. *Urges* States parties to comply fully with their obligations under the Convention and the Optional Protocol thereto⁵ and to take into consideration the concluding comments as well as the general recommendations of the Committee on the Elimination of Discrimination against Women;

⁴ Resolution 34/180, annex.

⁵ Resolution 54/4, annex.

⁶ See resolution 55/2.

⁷ Resolution 44/25, annex.

⁸ Resolution 54/263, annexes I and II.

⁹ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

¹⁰ Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38 (A/58/38).

¹¹ A/58/341.

4. *Encourages* all relevant entities of the United Nations system, within their mandates, as well as Governments, intergovernmental and non-governmental organizations and, in particular, women's organizations, as appropriate, to strengthen assistance to States parties, upon their request, in implementing the Convention;
5. *Welcomes* the rapidly growing number of States parties to the Optional Protocol, which now stands at fifty-nine, and urges other States parties to the Convention to consider signing and ratifying or acceding to the Optional Protocol;
6. *Notes* the closed meeting held by the Committee on 16 July 2003 with States parties whose reports were more than five years overdue;
7. *Takes note with appreciation* of the fact that the Committee has commenced its work under the Optional Protocol;
8. *Notes* that some States parties have modified their reservations, expresses satisfaction that some reservations have been withdrawn, and urges States parties to limit the extent of any reservations that they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention;
9. *Welcomes* the adoption by the Committee of revised reporting guidelines,¹² and urges States parties to adhere to the revised guidelines, in particular with regard to the content and length of reports;
10. *Recalls* the great number of overdue reports, in particular initial reports, and urges States parties to the Convention to make every possible effort to submit their reports on the implementation of the Convention in a timely manner in accordance with article 18 thereof;
11. *Encourages* the Secretariat to extend further technical assistance to States parties, upon their request, to strengthen their capacity in the preparation of reports, in particular initial reports, and invites Governments to contribute to those efforts;
12. *Invites* States parties to make use of the technical assistance provided by the Secretariat to facilitate the preparation of reports, in particular initial reports;
13. *Commends* the Committee on its contributions to the effective implementation of the Convention;
14. *Strongly urges* States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible so that the amendment may enter into force;
15. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, and encourages the Committee to continue its activities in this regard;
16. *Encourages* the continued participation of members of the Committee in inter-committee meetings and meetings of persons chairing the human rights treaty bodies, including those on methods of work relating to the State reporting system;

¹² See *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38)*.

17. *Encourages* the Committee, within its mandate, to continue to contribute to the efforts to strengthen cooperation and coordination between the treaty bodies;

18. *Requests* the Secretary-General, in accordance with General Assembly resolution 54/4 of 6 October 1999, to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee within its full mandate, taking into account in particular the entry into force of the Optional Protocol;

19. *Urges* Governments, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Convention and the Optional Protocol thereto;

20. *Encourages* States parties to disseminate the concluding comments adopted in relation to the consideration of their reports as well as the general recommendations of the Committee;

21. *Encourages* all relevant entities of the United Nations system to continue to build women's knowledge and understanding of and capacity to utilize human rights instruments, in particular the Convention and the Optional Protocol thereto;

22. *Urges* the specialized agencies, at the invitation of the Committee, to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

23. *Welcomes* the contribution of non-governmental organizations to the work of the Committee;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the status of the Convention on the Elimination of All Forms of Discrimination against Women and the implementation of the present resolution.

77th plenary meeting
22 December 2003





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Resolution adopted by the General Assembly

*[on the report of the Third Committee (A/58/501)]***58/146. Improvement of the situation of women in rural areas***The General Assembly,**Recalling its resolution 56/129 of 19 December 2001,*

Recalling also the importance attached to the problems of rural women in the Nairobi Forward-looking Strategies for the Advancement of Women,¹ the Beijing Declaration² and Platform for Action³ adopted by the Fourth World Conference on Women, the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",⁴ and the Convention on the Elimination of All Forms of Discrimination against Women,⁵

Recalling further the United Nations Millennium Declaration,⁶ in which Member States resolved, inter alia, to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable,

Welcoming the Monterrey Consensus of the International Conference on Financing for Development,⁷ as well as the Johannesburg Declaration on Sustainable Development⁸ and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),⁹ which called

¹ *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15–26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

² *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

³ *Ibid.*, annex II.

⁴ Resolution S-23/2, annex, and resolution S-23/3, annex.

⁵ Resolution 34/180, annex.

⁶ See resolution 55/2.

⁷ *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

⁸ *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

⁹ *Ibid.*, resolution 2, annex.

upon Governments to mainstream the gender perspective into development at all levels and in all sectors,

*Welcoming also the agreed conclusions on women's participation in and access to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, adopted by the Commission on the Status of Women at its forty-seventh session,*¹⁰

Welcoming further the ministerial declaration of the high-level segment of the substantive session of 2003 of the Economic and Social Council, adopted on 2 July 2003,¹¹ which stressed the need for rural development to become an integral part of national and international development policies and of the activities and programmes of the United Nations system, and called for an enhanced role for rural women at all levels of rural development, including decision-making,

Recognizing the critical role and contribution of rural women in enhancing agricultural and rural development, improving food security and eradicating rural poverty,

Noting that some effects of globalization may deepen the socio-economic marginalization of rural women,

Noting also that the globalization process has had some benefits by providing opportunities for wage employment for rural women in new sectors,

Mindful of the fact that the available data and existing tools of measurement and analysis are insufficient for a full understanding of the gender implications of the processes of globalization and rural change, and their impact on rural women,

Recognizing the urgent need to take appropriate measures aimed at further improving the situation of women in rural areas,

1. *Takes note of the report of the Secretary-General;*¹²
2. *Requests the Secretary-General and all relevant United Nations bodies to take into account, while developing future policies, plans and activities, the views expressed by Member States in their replies concerning the desirability of convening a high-level policy consultation at the governmental level, with a view to setting priorities and developing critical strategies that would meet the manifold challenges faced by rural women;*
3. *Invites Member States, in collaboration with the organizations of the United Nations and civil society, as appropriate, to continue their efforts to implement the outcome of and to ensure an integrated and coordinated follow-up to United Nations conferences and summits, including their five-year reviews, and to attach greater importance to the improvement of the situation of rural women in their national, regional and global development strategies by, inter alia:*
 - (a) *Creating an enabling environment for improving the situation of rural women, including integrating a gender perspective in macroeconomic policies and developing appropriate social support systems;*

¹⁰ See *Official Records of the Economic and Social Council, 2003, Supplement No. 7 (E/2003/27)*, chap. I, sect. A; see also Economic and Social Council resolution 2003/44.

¹¹ See A/58/3 (Part I), chap. III, para. 35. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3*.

¹² A/58/167 and Add.1.

(b) Pursuing the political and socio-economic empowerment of rural women by supporting their full and equal participation in decision-making at all levels, including in rural institutions through, inter alia, the provision of training and capacity-building programmes, including legal literacy;

(c) Integrating a gender perspective into the design, implementation, monitoring and evaluation of development policies and programmes, including budget policies, paying increased attention to the needs of rural women so as to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;

(d) Ensuring that the perspectives of rural women are taken into account and that they participate in the design, implementation, monitoring and evaluation of policies and activities related to emergencies, natural disasters, humanitarian assistance, peace-building and post-conflict reconstruction;

(e) Investing in and strengthening efforts to meet the basic needs of rural women through capacity-building and human resources development measures and the provision of a safe and reliable water supply and sanitation, nutritional programmes, education and literacy programmes, and health and social support measures, including in the area of sexual and reproductive health and HIV/AIDS treatment, care and support;

(f) Designing and implementing policies that promote and protect the enjoyment by women of all human rights and fundamental freedoms and creating an environment that does not tolerate violations of the rights of women and girls, including domestic violence;

(g) Developing specific assistance programmes and advisory services to promote economic skills of rural women in banking, modern trading and financial procedures and providing microcredit and other financial and business services to a greater number of women in rural areas for their economic empowerment;

(h) Taking steps towards ensuring that women's unpaid work and contributions to on-farm and off-farm production, including income generated in the informal sector, are visible, and assessing the feasibility of developing and improving mechanisms, such as time-use studies, to measure in quantitative terms unpaid work, recognizing the potential for it to be reflected in the formulation and implementation of policies and programmes at the national and regional levels;

(i) Designing and revising laws to ensure that, where private ownership of land and property exists, rural women are accorded full and equal rights to own land and other property, including through the right to inheritance, and undertaking administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies and access to markets and information,

(j) Promoting programmes to enable rural women and men to reconcile their work and family responsibilities and to encourage men to share equally with women household and childcare responsibilities;

4. *Invites* the Commission on the Status of Women to continue to pay due attention to the situation of rural women in the consideration of the priority themes identified in its multi-year programme of work for the period 2002–2006;

5. *Invites* the relevant organizations of the United Nations system dealing with issues of development to address and support the empowerment of rural

women and their specific needs in their programmes and strategies, including in the context of globalization;

6. *Stresses* the need to identify the best practices for ensuring that rural women have access to and full participation in the area of information and communication technologies, inter alia, through specific studies, and invites the World Summit on the Information Society, in Geneva and Tunis, to take into consideration, while addressing gender issues, the priorities and needs of rural women and girls as active users of information and ensure their participation in developing and implementing global information and communication technology strategies;

7. *Invites* Member States, the United Nations and the relevant organizations of its system to ensure that the needs of rural women are mainstreamed into the integrated process of follow-up to the major summits and conferences in the economic and social fields, in particular the World Summit on Sustainable Development and the International Conference on Financing for Development, and the 2005 review of the progress achieved in implementing all the commitments made in the United Nations Millennium Declaration,⁶ the Beijing Platform for Action³ and the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century";⁴

8. *Invites* Member States to take into consideration the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women concerning their reports to the Committee when formulating policies and designing programmes focused on the improvement of the situation of rural women, including those to be developed and implemented in cooperation with relevant international organizations;

9. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, addressing different aspects of the empowerment of rural women, including the impact of macroeconomic policy frameworks on their situation.

77th plenary meeting
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General Assembly

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Resolution adopted by the General Assembly

*[on the report of the Third Committee (A/58/501)]***58/147. Elimination of domestic violence against women***The General Assembly,*

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, as stated in the Universal Declaration of Human Rights¹ as well as in other relevant international instruments, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women² and other international human rights instruments and that its elimination is an integral part of efforts towards the elimination of violence against women,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,³ the Declaration on the Elimination of Violence against Women,⁴ the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women⁵ and the Programme of Action of the International Conference on Population and Development,⁶ as well as the follow-up action by the Commission on the Status of Women on violence against women and the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",⁷

Recalling also all its previous resolutions on the elimination of violence against women,

¹ Resolution 217 A (III).

² Resolution 34/180, annex.

³ A/CONF.157/24 (Part I), chap. III.

⁴ See resolution 48/104.

⁵ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annexes I and II.

⁶ *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution I, annex.

⁷ Resolution S-23/2, annex, and resolution S-23/3, annex.

Taking note of Commission on Human Rights resolution 2003/45 of 23 April 2003 on the elimination of violence against women,⁸ as well as all its previous relevant resolutions on this issue,

Bearing in mind that domestic violence against women and girls is a human rights issue,

Recognizing that domestic violence against women is, inter alia, a societal problem and a manifestation of unequal power relations between women and men,

Recognizing also that both men and women have and should take responsibility for promoting gender equality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, that domestic violence against women can present for individuals and families,

Recognizing the implications of domestic violence for the social and economic development of communities and States,

Underlining the importance of the empowerment of women and their economic independence as critical tools to prevent and eliminate domestic violence against women,

1. *Recognizes:*

(a) That domestic violence is violence that occurs within the private sphere, generally between individuals who are related through blood or intimacy;

(b) That domestic violence is one of the most common and least visible forms of violence against women and that its consequences affect many areas of the lives of victims;

(c) That domestic violence can take many different forms, including physical, psychological and sexual violence;

(d) That domestic violence is of public concern and requires States to take serious action to protect victims and prevent domestic violence;

(e) That domestic violence can include economic deprivation and isolation and that such conduct may cause imminent harm to the safety, health or well-being of women;

2. *Welcomes:*

(a) The activities and initiatives of States aimed at the elimination of domestic violence against women, including legal, educational, economic, social and other measures;

(b) The work of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, and takes note of the report entitled "Developments in the area of violence against women (1994-2002)";⁹

(c) The efforts undertaken by United Nations bodies, funds and programmes, including the United Nations Children's Fund and the United Nations Population

⁸ See *Official Records of the Economic and Social Council, 2003, Supplement No. 3 (E/2003/23), chap. II, sect. A.*

⁹ E/CN.4/2003/75 and Corr.1 and Add.1, Add.2 and Add.2/Corr.1, Add.3 and Add.4.

Fund, to address the issue of domestic violence and encourages them to coordinate their efforts, and, in particular, expresses its appreciation for the initiatives of the United Nations Development Fund for Women to combat violence against women at the international, regional and national levels, as well as the *World Report on Violence and Health* launched by the World Health Organization in 2002, particularly its consideration of gender-based violence;

(d) The work carried out by civil society, including non-governmental organizations, such as women's organizations, and community-based organizations and individuals, aimed at the elimination of domestic violence against women, inter alia, by raising awareness of its harmful effects, and in the provision of support services to women victims of violence;

3. *Strongly condemns* all forms of domestic violence against women and girls, and in this regard, calls for the elimination of all forms of gender-based violence in the family, including where condoned by the State;

4. *Expresses its concern:*

(a) That women continue to be victims of domestic violence and at the continuing occurrence in all regions of the world of domestic violence, which takes many different forms, and at failure to prosecute and punish the perpetrators;

(b) That domestic violence, including sexual violence in marriage, is still treated as a private matter in some countries;

5. *Stresses* that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of domestic violence against women and to provide protection to the victims, and also stresses that not to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

6. *Reaffirms* the commitment of States to establish legislation and/or strengthen appropriate mechanisms to handle criminal matters relating to all forms of domestic violence, including marital rape and sexual abuse of women and girls, and to ensure that such cases are brought to justice swiftly;

7. *Calls upon* States:

(a) To adopt, strengthen and implement legislation that prohibits domestic violence, prescribes punitive measures and establishes adequate legal protection against domestic violence and periodically to review, evaluate and revise these laws and regulations so as to ensure their effectiveness in eliminating domestic violence;

(b) To make domestic sexual violence a criminal offence and to ensure proper investigation and prosecution of perpetrators;

(c) To adopt and/or strengthen policies and legislation in order to strengthen preventive measures, protect the human rights of victims, ensure proper investigation and prosecution of perpetrators and provide legal and social assistance to victims of domestic violence, and to adopt policies with regard to the rehabilitation of perpetrators;

(d) To intensify measures aimed at preventing domestic violence against women;

(e) To ensure greater protection for women, inter alia, by means of, where appropriate, orders restraining violent spouses from entering the family home, or by banning violent spouses from contacting the victim;

(f) To provide or facilitate the provision of adequate training, inter alia, gender-awareness training, to all professionals who deal with domestic violence, in particular with victims of domestic violence, police officers, judicial and legal personnel, health personnel, educators, youth workers and social workers;

(g) To provide or facilitate the provision of assistance to victims of domestic violence in lodging police reports and receiving treatment and support, which may include the setting up of one-stop centres, as well as the establishment of safe shelters and centres for victims of domestic violence;

(h) To protect women in the process of seeking redress from further victimization because of gender-insensitive laws or practices;

(i) To establish and/or strengthen police response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

(j) To take measures to ensure the protection of women subjected to violence, access to just and effective remedies, inter alia, through compensation and indemnification and healing of victims, and the rehabilitation of perpetrators;

(k) To intensify efforts to raise collective and individual awareness about violence against women, including through human rights education, to highlight the role of men and boys in the prevention and elimination of domestic violence against women, and to encourage and support initiatives to promote attitudinal and behavioural change on the part of, and the rehabilitation of, perpetrators of violence against women;

(l) To encourage the efforts of the media to engage in awareness-raising campaigns;

(m) To take all measures to empower women and strengthen their economic independence, including through equal remuneration for equal work, and increased job opportunities for women, as well as equal access to and control over economic resources, including land, credit, microcredit and traditional saving schemes such as women's banks and cooperatives, and by ensuring property rights and the right to inheritance, with a view to reducing women's vulnerability to all forms of violence, including domestic violence;

(n) Not to invoke any custom, tradition or religious consideration to avoid their obligations to eliminate violence against women;

(o) To consider, as a matter of priority, becoming parties to the Convention on the Elimination of All Forms of Discrimination against Women;²

(p) That are parties to the Convention to include in their reports to the Committee on the Elimination of Discrimination against Women information on legal and policy measures adopted and implemented in their efforts to prevent and eliminate domestic violence against women and to cross-reference that information, where appropriate, in reports to other human rights treaty bodies;

(q) To cooperate closely with relevant specialized agencies and United Nations funds and programmes, as well as with regional intergovernmental organizations, as appropriate, and relevant community and non-governmental organizations, including women's organizations, in an effort to eliminate violence against women;

(r) To collect, update and improve the collection of data on violence against women, including through sex-disaggregated information systems, which should be made public and disseminated widely;

8. *Emphasizes* the need for technical and financial assistance to developing countries in their efforts to eliminate domestic violence against women from United Nations funds and programmes, international and regional financial institutions and bilateral and multilateral donors, and civil society, as well as the need for assistance from the international community to non-governmental organizations and community-based groups active in this field;

9. *Encourages* States to contribute or increase their contribution to the Trust Fund in Support of Actions to Eliminate Violence against Women managed by the United Nations Development Fund for Women;

10. *Invites*:

(a) Relevant specialized agencies, United Nations bodies, regional intergovernmental organizations and non-governmental organizations to exchange information on the subject of the present resolution, and encourages the exchange of such information between non-governmental organizations active in this field and the relevant human rights treaty bodies;

(b) The relevant human rights treaty bodies to continue to address this issue, where appropriate;

11. *Decides* to continue its consideration of this question at its sixtieth session under the item entitled "Advancement of women".

77th plenary meeting
22 December 2003



General Assembly

Distr.: General
19 February 2004

Fifty-eighth session
Agenda item 111

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/502)]

58/148. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its previous resolutions on the question, including resolution 57/182 of 18 December 2002,

Recalling also the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",¹ and the proposed actions and initiatives to overcome obstacles and challenges thereto,

Deeply convinced that the Beijing Declaration and Platform for Action² and the outcome of the twenty-third special session are important contributions to the advancement of women worldwide in the achievement of gender equality and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

Stressing the importance of strong, sustained political will and commitment at the national, regional and international levels for achieving full and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for the effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

¹ Resolution S-23/2, annex, and resolution S-23/3, annex.

² *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annexes I and II.

Welcoming the increased attention to the situation of women and girls and the integration of a gender perspective in the work of the United Nations, in particular in the outcomes of major conferences, special sessions and summit conferences and their follow-up processes, and reaffirming its commitment to building on progress achieved in this respect,

Emphasizing the importance of Economic and Social Council decision 2003/287 of 24 July 2003, in which the Council decided to undertake, during the coordination segment of its substantive session of 2004, a review and appraisal of the system-wide implementation of agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system, adopted by the Council on 18 July 1997,³ and taking note of Council resolution 2003/49 of 24 July 2003,

Reaffirming the primary and essential role of the General Assembly and the Economic and Social Council in promoting the advancement of women and gender equality, while noting the open debate on women and peace and security held in the Security Council on 28 and 29 October 2002⁴ and on 29 October 2003,⁵

Bearing in mind its relevant resolutions and Security Council resolution 1325 (2000) of 31 October 2000,

1. *Reaffirms* the goals, objectives and commitments contained in the Beijing Declaration and Platform for Action² and also in the political declaration and further actions and initiatives to implement the Beijing Declaration and Platform for Action adopted by the General Assembly at its twenty-third special session;¹

2. *Takes note with appreciation* of the report of the Secretary-General on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;⁶

3. *Calls upon* Governments, the relevant entities of the United Nations system, within their respective mandates, and all relevant actors of civil society, including non-governmental organizations, to continue to take effective action to achieve the full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

4. *Reaffirms* its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with General Assembly resolutions 48/162 of 20 December 1993 and 57/270 B of 23 June 2003 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in overall policy-making and follow-up and in coordinating the implementation and monitoring of the Beijing Platform for Action and the outcome of the twenty-third special session;

5. *Also reaffirms* that the follow-up to the Fourth World Conference on Women and the twenty-third special session will be undertaken within the framework of an integrated and coordinated follow-up to major international conferences and summits in the economic, social and related fields;

³ See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3 (A/52/3/Rev.1)*, chap. IV, para. 4.

⁴ See S/PV.4635 and S/PV.4635 (Resumption 1).

⁵ See S/PV.4852 and S/PV.4852 (Resumption 1).

⁶ A/58/166.

6. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;
7. *Calls upon* Governments and all other relevant actors to continue to integrate a gender perspective into the implementation of and follow-up to recent United Nations conferences, summits and special sessions and in future reports on this subject;
8. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women⁷ to include information on measures taken to implement the outcome of the twenty-third special session, as well as the Beijing Platform for Action, in their reports to the Committee on the Elimination of Discrimination against Women under article 18 of the Convention;
9. *Urges* Member States to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,⁸ in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and welcomes the imminent entry into force of that Protocol on 25 December 2003;
10. *Invites* Member States to submit, before 30 April 2004, responses to the questionnaire of the Secretariat on the implementation of the Beijing Platform for Action and the outcome of the twenty-third special session, in preparation for the review and appraisal mandated in the multi-year programme of work of the Commission on the Status of Women;⁹
11. *Invites* the Economic and Social Council to continue its efforts to ensure that gender mainstreaming is an integral part of all activities in its work and that of its subsidiary bodies, building upon agreed conclusions 1997/2 adopted by the Council on 18 July 1997,³ and in this regard welcomes the inclusion of the question of gender mainstreaming in its agenda, the consideration of annual progress made in gender mainstreaming and the attention given to the gender perspective in the outcomes of the substantive session of 2003 of the Council;
12. *Encourages* the Economic and Social Council to request the regional commissions, within their respective mandates and resources, to intensify efforts to build up a database, to be updated regularly, in which all programmes and projects carried out in their respective regions by organizations or bodies of the United Nations system are listed, and to facilitate the dissemination of information on such programmes and projects, as well as the evaluation of their impact on the empowerment of women through the implementation of the Beijing Platform for Action;
13. *Welcomes* the contribution of the Commission on the Status of Women to the follow-up and review of the future implementation of the commitments made in the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, reaffirms that the Commission will continue to play a central role in this regard, and encourages Governments, the relevant specialized agencies, funds

⁷ Resolution 34/180, annex.

⁸ Resolution 55/25, annexes I-III, and resolution 55/255, annex.

⁹ See Economic and Social Council resolution 2001/4.

and programmes of the United Nations system and civil society to continue to support its work;

14. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action and of the implementation of the outcome of the twenty-third special session by regional commissions and other regional or subregional structures, within their mandates, in consultation with Governments, and calls for the promotion of further cooperation in that respect among Governments and, where appropriate, national machineries of the same region;

15. *Also recognizes* that sustained political will and commitment at the national, regional and international levels are essential elements for the full and accelerated implementation of the Beijing Platform for Action and the outcome of the twenty-third special session;

16. *Emphasizes* that the promotion of gender equality and of women's empowerment and participation, together with the mainstreaming of a gender perspective, are among the essential elements for advancing the implementation of the United Nations Millennium Declaration,¹⁰ with a view, in particular, to achieving the internationally agreed development goals, including those contained in the Millennium Declaration and the outcomes of United Nations summits, conferences and special sessions;

17. *Recognizes* that adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, including the least developed countries and countries with economies in transition, from all available funding mechanisms, including multilateral, bilateral and private sources, will also be required;

18. *Emphasizes* that the creation of an enabling environment at the national and international levels, including by ensuring the participation of women on an equal basis with men at all levels of decision-making, is necessary to ensure the full participation of women in economic activities, and calls upon States to remove obstacles to the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

19. *Reaffirms* that, in order to ensure the effective implementation of the strategic objectives of the Beijing Platform for Action and the outcome of the twenty-third special session, the United Nations system should promote an active and visible policy of mainstreaming a gender perspective, including through the work of the Division for the Advancement of Women and the Office of the Special Adviser on Gender Issues and Advancement of Women and the maintenance of gender units and focal points;

20. *Also reaffirms* that United Nations bodies that focus on gender issues, such as the United Nations Population Fund, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and the United Nations Children's Fund, have a critical role to play in the implementation of the objectives of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and recognizes that gender specialists throughout the United Nations system also have an important role to play in this regard;

¹⁰ See resolution 55/2.

21. *Recognizes* the important role of women in the prevention and resolution of conflicts and in peace-building, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution, and urges the United Nations system and Governments to make further efforts in this regard and to take steps to ensure and support the full participation of women at all levels of decision-making and implementation in development activities and peace processes, including conflict prevention and resolution, post-conflict reconstruction, peacemaking, peacekeeping and peace-building, as well as through the integration of a gender perspective into those United Nations processes;

22. *Expresses its appreciation* for the efforts made by all relevant organizations of the United Nations system in promoting the role of women in conflict prevention and resolution;

23. *Welcomes* the convening of the World Summit on the Information Society in Geneva in 2003 and in Tunis in 2005, and encourages Governments and all other stakeholders to integrate a gender perspective into the preparatory processes and outcome documents, taking into account the agreed conclusions on women's participation in and access to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women, adopted by the Commission on the Status of Women at its forty-seventh session,¹¹ and the report of the Secretary-General;⁶

24. *Also welcomes* the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,¹² and urges States parties to the Convention that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol;

25. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, medium-term plans and programme budgets visibly mainstream a gender perspective;

26. *Requests* the Secretary-General to continue to disseminate the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session as widely as possible in all the official languages of the United Nations;

27. *Also requests* the Secretary-General to integrate a gender perspective in his reporting to the General Assembly, in order to support gender-sensitive policy formulation;

28. *Further requests* the Secretary-General to report annually to the General Assembly, the Economic and Social Council and the Commission on the Status of Women on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress made in mainstreaming a gender perspective within the United Nations system, including by providing information on key achievements, lessons learned and best practices, and to recommend further measures and strategies for future action within the United Nations system;

¹¹ See *Official Records of the Economic and Social Council, 2003, Supplement No. 7 (E/2003/27)*, chap. I, sect. A; see also Economic and Social Council resolution 2003/44.

¹² Resolution 54/4, annex.

29. *Requests* the Secretary-General to include in his annual and quinquennial reports on the follow-up to the United Nations Millennium Declaration an assessment of the progress made in promoting the goal of gender equality, in particular in relation to the development goals set forth in the Millennium Declaration, and recommendations to improve the measurement and coverage of indicators so that progress towards gender equality can be evaluated over time;

30. *Also requests* the Secretary-General to ensure that all United Nations personnel and officials at Headquarters and in the field, especially in field operations, receive training on mainstreaming a gender perspective in their work, including gender impact analysis, and to ensure appropriate follow-up to such training;

31. *Further requests* the Secretary-General to provide, by the end of 2004, a compilation of updated and substantiated statistics from Member States and other relevant sources on the situation of women and girls, including older women, in countries around the world, including by issuing a new volume of *The World's Women: Trends and Statistics*;

32. *Recognizes* the need to further include a gender perspective in the work of its Main Committees;

33. *Recalls*, in this regard, its request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of major United Nations conferences and summits, recognizing that there is no need for a uniform approach since each functional commission has its own specificity, while noting that modern methods of work can better guarantee the review of progress made in implementation at all levels, on the basis of a report containing recommendations to be submitted by the Secretary-General to each functional commission and relevant subsidiary body of the Economic and Social Council on its methods of work, in accordance with the provisions defined by the respective outcomes and relevant decisions taken by each body, bearing in mind the progress recently achieved in this regard by certain commissions, in particular the Commission on Sustainable Development, and recalling that the functional commissions and other relevant bodies of the Economic and Social Council should report to it no later than 2005 on the outcome of this examination;

34. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century'".

77th plenary meeting
22 December 2003



General Assembly

Distr.: General
24 February 2004Fifty-eighth session
Agenda item 112

Resolution adopted by the General Assembly

*[on the report of the Third Committee (A/58/503)]***58/149. Assistance to refugees, returnees and displaced persons in Africa***The General Assembly,**Recalling* its resolution 57/183 of 18 December 2002,*Recalling also* the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,*Recalling further* the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969¹ and the African Charter on Human and Peoples' Rights,²*Recalling* the Khartoum Declaration³ and the Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa⁴ adopted by the Organization of African Unity⁵ at the ministerial meeting held at Khartoum on 13 and 14 December 1998,*Welcoming* decision EX/CL/Dec.46 (III) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its third ordinary session, held at Maputo from 4 to 8 July 2003,⁶*Welcoming also* decision AHG/Dec.165 (XXXVII) on the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-seventh ordinary session, held at Lusaka from 9 to 11 July 2001,⁷*Recalling* its resolution 57/2 of 16 September 2002 on the United Nations Declaration on the New Partnership for Africa's Development, and affirming that¹ United Nations, *Treaty Series*, vol. 1001, No. 14691.² *Ibid.*, vol. 1520, No. 26363.³ A/54/682, annex I.⁴ *Ibid.*, annex II.⁵ On 8 July 2002, the Organization of African Unity ceased to exist and, in its place, the African Union came into force on 9 July 2002.⁶ See A/58/626, annex II.⁷ See A/56/457, annex I.

international support for the implementation of the New Partnership for Africa's Development⁸ is essential, notably as it relates to refugees, returnees and displaced persons,

Reaffirming that the 1951 Convention relating to the Status of Refugees,⁹ together with the 1967 Protocol thereto,¹⁰ as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing that the fundamental principles and rights embodied in those conventions have provided a resilient protection regime within which millions of refugees have been able to find safety from armed conflicts and persecution,

Welcoming in that regard the Declaration adopted at the Ministerial Meeting of States Parties to the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees, held at Geneva on 12 and 13 December 2001,¹¹ as an expression of their collective commitment to full and effective implementation of the Convention and the Protocol,

Recalling the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000 on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969, and noting its endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session, held at Lomé from 6 to 8 July 2000,¹²

Commending the convening of the first African Union Ministerial Conference on Human Rights in Africa at Kigali on 8 May 2003, and recalling the attention paid to issues relevant to refugees and displaced persons in the Kigali Declaration¹³ adopted by the Conference,

Recognizing the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

Recognizing also the need for States to address resolutely the root causes of forced displacement and to create conditions that facilitate durable solutions for refugees and displaced persons, and stressing in that regard the need for States to foster peace, stability and prosperity throughout the African continent to forestall large refugee flows,

Convinced of the need to strengthen the capacity of States to provide assistance to and protection for refugees, returnees and displaced persons and of the need for the international community, within the context of burden-sharing, to

⁸ A/57/304, annex.

⁹ United Nations, *Treaty Series*, vol. 189, No. 2545.

¹⁰ *Ibid.*, vol. 606, No. 8791.

¹¹ HCR/MMSP/2001/10, annex I.

¹² See A/55/286, annex I, decision CM/Dec.531 (LXXII), para. 8.

¹³ See MIN/CONF/HRA/Decl.1 (I).

increase its material, financial and technical assistance to the countries affected by refugees, returnees and displaced persons, to simultaneously address the inadequacies of existing assistance arrangements and to support initiatives in this regard,

Acknowledging with appreciation that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

Noting the "Convention Plus" initiative of the United Nations High Commissioner for Refugees, which is aimed at strengthening the international protection regime through the development of comprehensive approaches to resolving refugee situations, including improving international burden- and responsibility-sharing and realizing durable solutions,

Deeply concerned about the continuing critical humanitarian situation in African countries, in particular in the Horn of Africa and southern Africa, aggravated, among other things, by persistent natural disasters, including drought, floods and desertification, which can precipitate the displacement of people,

Noting with great concern that, despite all the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious,

Stressing that the provision of relief and assistance to African refugees by the international community should be on an equitable and non-discriminatory basis,

Considering that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict,

1. *Takes note* of the reports of the Secretary-General¹⁴ and the United Nations High Commissioner for Refugees;¹⁵

2. *Notes with concern* that the deteriorating socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Encourages* African States to ensure the full implementation of and follow-up to the Comprehensive Implementation Plan adopted by the Special Meeting of Governmental and Non-Governmental Technical Experts convened by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees at Conakry from 27 to 29 March 2000 on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969;¹

4. *Calls upon* States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

¹⁴ A/58/353.

¹⁵ Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12 (A/58/12).

5. *Expresses its appreciation* for the leadership shown by the United Nations High Commissioner for Refugees since assuming office in January 2001, and commends the Office of the High Commissioner for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Reaffirms* that international protection and the search for durable solutions for refugees and, as appropriate, other persons of concern to the Office of the High Commissioner, which were examined, *inter alia*, in the Global Consultations on International Protection process and are reflected in the Agenda for Protection,¹⁶ are at the core of the mandate of the Office;

7. *Welcomes* the efforts of the Office of the High Commissioner to strengthen its linkages with the other parts of the United Nations system in order to enhance refugee protection and to identify and implement durable solutions for refugees and other persons of concern to the Office, and appreciates the efforts of the Office to strengthen partnerships with operational and implementing partners;

8. *Takes note* of the Ministerial Meeting of States Parties to the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees as an expression of their collective commitment to full and effective implementation of the Convention⁹ and the Protocol;¹⁰

9. *Reaffirms* that the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, as complemented by the Organization of African Unity Convention of 1969, remain the foundation of the international refugee protection regime in Africa, encourages African States that have not yet done so to accede to those instruments, and calls upon States parties to the Conventions to reaffirm their commitment to their ideals and to respect and observe their provisions;

10. *Notes* the need for States to address the root causes of forced displacement in Africa, and calls upon African States, the international community and relevant United Nations organizations to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance and to contribute generously to national projects and programmes aimed at alleviating their plight;

11. *Also notes* the link, *inter alia*, between human rights violations, poverty, natural disasters and environmental degradation and population displacement, and calls for redoubled and concerted efforts by States, in collaboration with the African Union, to promote and protect human rights for all and to address those problems;

12. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa, and welcomes in this regard the signing of the memorandum of understanding between the African Commission on Human and Peoples' Rights and the Office of the United Nations High Commissioner for Refugees on 26 May 2003;

¹⁶ *Ibid.*, Fifty-seventh Session, Supplement No. 12A (A/57/12/Add.1), annex IV.

13. *Notes with appreciation* the ongoing mediation and conflict resolution efforts carried out by African States, the African Union and subregional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

14. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

15. *Welcomes* the decision of African heads of State and Government to address the situation of refugees, returnees and displaced persons in Africa within the context of the New Partnership for Africa's Development;⁸

16. *Expresses its concern* about instances in which the fundamental principles of asylum are jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

17. *Reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, and calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character;

18. *Deplores* the deaths, injuries and other forms of violence sustained by staff members of the Office of the High Commissioner, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure their safety and security, calls upon States to investigate fully any crime committed against humanitarian personnel and to bring to justice persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

19. *Condemns* any exploitation of refugees, especially their sexual abuse and exploitation, calls for those responsible for such deplorable acts to be brought to justice, welcomes in this regard the conclusion on protection from sexual abuse and exploitation adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fourth session,¹⁷ and notes with deep concern that inadequate protection and/or inappropriate assistance, particularly concerning the quantity and quality of food and other material assistance, increases the vulnerability of refugees and asylum-seekers to sexual abuse and exploitation;

20. *Welcomes* the decision of the Office of the High Commissioner to put in place a code of conduct for humanitarian personnel aimed at preventing the exploitation of refugees, especially in the area of sexual exploitation;

¹⁷ Ibid., Fifty-eighth Session, Supplement No. 12A (A/58/12/Add.1), chap. III, sect. E.

21. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

22. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

23. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

24. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner with the cooperation and collaboration of countries hosting refugees and countries of origin, and welcomes the efforts under way, in cooperation with other United Nations agencies and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, including the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

26. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

27. *Welcomes* the programmes carried out by the Office of the High Commissioner with host Governments, the United Nations, non-governmental organizations and the international community to address the environmental and socio-economic impact of refugee populations;

28. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

29. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing needs of refugees;

30. *Notes* the conclusion adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-fourth session on the importance of early and effective registration systems and censuses as a tool of protection and as a means to enable the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;¹⁸

31. *Emphasizes* the need for the Office of the High Commissioner to collate statistics, on a regular basis, on the number of refugees living outside refugee camps in certain African countries with a view to evaluating and addressing the needs of those refugees;

32. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

33. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

34. *Calls upon* States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

35. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,¹⁹ and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

36. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

37. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-ninth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2004.

77th plenary meeting
22 December 2003

¹⁸ Ibid., sect. B.

¹⁹ E/CN.4/1998/53/Add.2, annex.



General Assembly

Distr.: General
24 February 2004Fifty-eighth session
Agenda item 112**Resolution adopted by the General Assembly***[on the report of the Third Committee (A/58/503)]***58/150. Assistance to unaccompanied refugee minors***The General Assembly,*

Recalling its resolutions 49/172 of 23 December 1994, 50/150 of 21 December 1995, 51/73 of 12 December 1996, 52/105 of 12 December 1997, 53/122 of 9 December 1998, 54/145 of 17 December 1999 and 56/136 of 19 December 2001,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment, sexual assault, abuse and vulnerability to infectious disease, such as human immunodeficiency virus/acquired immunodeficiency syndrome, malaria and tuberculosis, and therefore require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of unaccompanied minors is their return to and reunification with their families,

Bearing in mind that the most important steps in working with unaccompanied minors are rapid identification, immediate registration and documentation and tracing of family,

Recalling the outcome document entitled "A world fit for children", adopted on 10 May 2002 by the General Assembly at its twenty-seventh special session,¹

Noting with appreciation the efforts of the Office of the United Nations High Commissioner for Refugees and the United Nations Children's Fund in the identification and tracing of unaccompanied minors, and welcoming their efforts in reunifying families of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees to reunite refugees with their families,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and that further enhanced efforts need to be exerted to this effect,

¹ Resolution S-27/2, annex.

Recalling the provisions of the Convention on the Rights of the Child,² and the 1951 Convention³ and the 1967 Protocol thereto⁴ relating to the Status of Refugees,

- 1. Takes note of the report of the Secretary-General;⁵*
- 2. Expresses its deep concern at the continuing plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;*
- 3. Stresses the importance of providing adequate resources for programmes of identification, registration, documentation and tracing of unaccompanied minors and their reunification with their families;*
- 4. Calls upon the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing the separation of refugee families, conscious of the importance of family unity;*
- 5. Calls upon all Governments, the Secretary-General, the Office of the High Commissioner, all United Nations organizations, as well as other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return and reunification with their families of unaccompanied refugee minors;*
- 6. Urges the Office of the High Commissioner, all United Nations organizations, as well as other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs of unaccompanied refugee minors and for their reunification with their families;*
- 7. Calls upon all States and other parties to armed conflict to comply with their obligations under international humanitarian law, human rights law and refugee law and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949⁶ and related instruments, and to respect the provisions of the Convention on the Rights of the Child,² which accord children affected by armed conflict special protection and treatment;*
- 8. Condemns all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;*
- 9. Acknowledges that education is among the most effective initial means of ensuring protection for unaccompanied minors, especially girls, by shielding them from exploitative activities such as child labour, military recruitment or sexual exploitation and abuse;*

² Resolution 44/25, annex.

³ United Nations, *Treaty Series*, vol. 189, No. 2545.

⁴ *Ibid.*, vol. 606, No. 8791.

⁵ A/58/299.

⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

10. *Calls upon* the Secretary-General, the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund, other United Nations organizations and other international organizations to mobilize adequate assistance to unaccompanied refugee minors in the areas of relief, education, recreational activities, health and psychological rehabilitation;

11. *Encourages* the Special Representative of the Secretary-General for Children and Armed Conflict in his efforts to raise awareness worldwide and mobilize official and public opinion for the protection of children affected by armed conflict, including refugee minors;

12. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution and to give special attention in his report to the girl-child refugee.

*77th plenary meeting
22 December 2003*



General Assembly

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Fifty-eighth session
Agenda item 112

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/503)]

58/151. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office¹ and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fourth session² and the conclusions and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing its appreciation for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underscoring its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-fourth session;²

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, and notes in this context the conclusions adopted on international protection, on the return of persons found not to be in need of international protection, on protection safeguards in interception measures, and on protection from sexual abuse and exploitation,³ which are aimed at strengthening the international protection regime, consistent with the Agenda for Protection⁴ resulting from the Global Consultations on International Protection, and at assisting

¹ Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12 (A/58/12).

² Ibid., Supplement No. 12A (A/58/12/Add.1).

³ Ibid., chap. III, sects. B-E.

⁴ Ibid., Fifty-seventh Session, Supplement No. 12A (A/57/12/Add.1), annex IV.

Governments in meeting their protection responsibilities in today's changing international environment;

3. *Reaffirms* the 1951 Convention relating to the Status of Refugees⁵ and its 1967 Protocol⁶ as the foundation of the international refugee protection regime, and recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-five States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines in particular the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

4. *Notes* that fifty-five States are now parties to the 1954 Convention relating to the Status of Stateless Persons⁷ and that twenty-seven States are parties to the 1961 Convention on the Reduction of Statelessness,⁸ and encourages the High Commissioner to continue his activities on behalf of stateless persons;

5. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

6. *Emphasizes* that international protection is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and which includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

7. *Welcomes* the High Commissioner's "Convention Plus" initiative,⁹ and encourages the High Commissioner and those States that have offered to facilitate Convention Plus agreements to strengthen the international protection regime through the development of comprehensive approaches to resolving refugee situations, including improving international burden- and responsibility-sharing and realizing durable solutions;

8. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and other displaced persons and in finding durable solutions to their situations, and welcomes the efforts under way, in cooperation with other United Nations agencies and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, including the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return;

⁵ United Nations, *Treaty Series*, vol. 189, No. 2545.

⁶ *Ibid.*, vol. 606, No. 8791.

⁷ *Ibid.*, vol. 360, No. 5158.

⁸ *Ibid.*, vol. 989, No. 14458.

⁹ See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12 (A/58/12)*, para. 24.

9. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of, and reducing the heavy burden borne by, countries that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, particularly least developed countries, and countries with economies in transition;

10. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that these solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported by necessary rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

11. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

12. *Encourages* the Office of the High Commissioner to continue to improve its management systems and to ensure effective and transparent use of its resources, recognizes that adequate and timely resources are essential for the Office to continue to fulfil the mandate conferred upon it through its statute¹⁰ and by subsequent General Assembly resolutions concerning refugees and other persons of concern, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

13. *Requests* the High Commissioner to report on his activities to the General Assembly at its fifty-ninth session.

77th plenary meeting
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¹⁰ Resolution 428 (V), annex.



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Fifty-eighth session
Agenda item 112

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/503)]

58/152. Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2003/285 and 2003/286 of 24 July 2003 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 23 September 2002 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General¹ and the note verbale dated 25 April 2003 from the Permanent Mission of Zambia to the United Nations Office at Geneva addressed to the Secretary-General,²

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from sixty-four to sixty-six States;
2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2004.

*77th plenary meeting
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¹ E/2003/3.

² E/2003/77.



General Assembly

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Agenda item 112**Resolution adopted by the General Assembly***[on the report of the Third Committee (A/58/503)]***58/153. Implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate***The General Assembly,*

Recalling its resolution 428 (V) of 14 December 1950, the annex to which contains the statute of the Office of the United Nations High Commissioner for Refugees, and its resolution 57/186 of 18 December 2002 on the continuation of the Office of the High Commissioner,

Appreciating the concerted efforts of the High Commissioner in undertaking consultations with the Secretary-General, the members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees and observers of its Standing Committee, through the process known as "UNHCR 2004", on how the Office of the High Commissioner could be better equipped to carry out its mandate in the changing context of the global situation, and noting that this is in support and in the context of the goals, objectives and commitments contained in the United Nations Millennium Declaration,¹ as well as the efforts of the Secretary-General to strengthen the United Nations system,

1. Welcomes the report of the United Nations High Commissioner for Refugees on strengthening the capacity of the Office of the United Nations High Commissioner for Refugees to carry out its mandate,² as called for in resolution 57/186;

2. Reaffirms that international protection and the search for durable solutions for refugees and, as applicable, other persons of concern to the Office of the High Commissioner, which were examined, inter alia, in the Global Consultations on International Protection process and are reflected in the Agenda for Protection,³ are the core of the mandate of the Office;

¹ See resolution 55/2.

² See A/58/410.

³ Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 12A (A/57/12/Add.1), annex IV.

3. *Welcomes* the efforts of the Office of the High Commissioner to strengthen its linkages with the other parts of the United Nations system in order to enhance refugee protection and to identify and implement durable solutions for refugees and other persons of concern to the Office, and appreciates its efforts to strengthen partnerships with operational and implementing partners;

4. *Welcomes* the admission of the Office to the United Nations Development Group, and invites the Development Group to include, through the resident coordinator system and in full consultation with the Government concerned, consideration of the needs of refugees and, as applicable, other persons of concern to the Office of the High Commissioner in the common country assessment process and the subsequent formulation and implementation of their development programmes;

5. *Notes* the importance of the support of the Office of the High Commissioner, within its mandate, to the efforts of the Emergency Relief Coordinator to promote predictable and timely United Nations strategies that, inter alia, integrate durable solutions for refugees with those for internally displaced persons;

6. *Highlights* the importance of joint efforts of the Department of Political Affairs and the Department of Peacekeeping Operations of the Secretariat, together with those of the Office of the High Commissioner, which contribute to durable solutions for refugees in conflict and post-conflict situations, encourages the Office to play a more active role, including by sharing information with relevant United Nations forums, and stresses that all of these activities should be undertaken in a manner consistent with the mandate of the Office;

7. *Recalls* paragraph 20 of the statute of the Office of the High Commissioner, and calls for its application;

8. *Reaffirms* the continued voluntary nature of the funding of the Office of the High Commissioner in accordance with its statute, while recognizing the importance of contributions made by countries hosting refugees, especially developing countries, notes the need for more equitable international responsibility and burden-sharing and expresses concern over the recurring shortfall in the funding of the Office, requests that States, within their capacities, contribute to the full funding of the budget level approved by the Executive Committee, and encourages the Office to continue its efforts to expand its donor base and to diversify funding sources, including through the private sector;

9. *Decides* to remove the temporal limitation on the continuation of the Office of the High Commissioner contained in its resolution 57/186 and to continue the Office until the refugee problem is solved;

10. *Decides also* that the High Commissioner shall make an annual oral report to the Economic and Social Council to keep it informed of the coordination aspects of the work of the Office and shall continue the existing practice, as established in paragraph 11 of its statute, of presenting an annual written report to the General Assembly, on the understanding that every ten years, beginning at the sixty-eighth session, the report will include a strategic review of the global situation of refugees and the role of the Office, prepared in consultation with the Secretary-General and the Executive Committee.

77th plenary meeting
22 December 2003



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Agenda item 112

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/503)]

58/154. Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995, 51/70 of 12 December 1996, 52/102 of 12 December 1997, 53/123 of 9 December 1998 and, in particular, resolutions 54/144 of 17 December 1999 and 56/134 of 19 December 2001,

Taking note of the report of the Secretary-General,¹

Having considered the report of the United Nations High Commissioner for Refugees,²

Reaffirming the importance and continuing validity of the Programme of Action, adopted in 1996 by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States,³ as a basic guiding tool for future activities,

Recognizing the ongoing acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States and the necessity to follow up the Conference,

Recalling the decision of the Steering Group of the Conference at its fifth meeting to continue activities in the process entitled "Follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues" for a period of five years,

Recalling also the Work Plan for the Thematic Issues, prepared jointly by the Office of the United Nations High Commissioner for Refugees, the International

¹ A/58/281.

² Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 12 (A/58/12).

³ A/51/341 and Corr.1, appendix.

Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe, in accordance with the recommendations adopted by the Steering Group at its fifth meeting,

Welcoming the convening, in Moscow from 20 to 23 November 2001, of the second meeting of experts within the framework of the Work Plan for the Thematic Issues, on the topic of asylum system development and treatment of asylum-seekers, as well as international efforts aimed at improving migration regulation and border management, with due regard for refugee protection matters, and encouraging all lead agencies to continue to implement the Work Plan,

Welcoming also the subregional initiatives within the framework of transboundary cooperation and the convening, in Kolmården, Sweden, in September 2002, of the senior-level review meeting,

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aimed at the effective implementation of such responsibilities within the framework of the Programme of Action adopted by the Conference,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in developing strategies and practical tools for more effective capacity-building in countries of origin and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Taking note of the positive results emanating from the implementation of the Programme of Action,

Convinced of the necessity of further strengthening practical measures and of continuing to maintain the regional approach for the achievement of effective implementation of the Programme of Action,

Noting with concern the decision to postpone the high-level review meeting concerning the implementation of the decisions of the Conference,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful that adherence to the principles and the recommendations contained in the Programme of Action should be facilitated and that they can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

1. *Takes note* of the report of the United Nations High Commissioner for Refugees;²

2. *Calls upon* the Governments of the countries of the Commonwealth of Independent States, in cooperation with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to strengthen their efforts and mutual cooperation relating to the follow-up to the Regional Conference to Address

the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, and welcomes the positive results achieved by them in the implementation of the Programme of Action adopted by the Conference;³

3. *Invites* all States that have not yet done so to accede to and implement fully the 1951 Convention⁴ and the 1967 Protocol⁵ relating to the Status of Refugees;

4. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for activities undertaken in follow-up to the Programme of Action;

5. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of such follow-up activities;

6. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral, subregional and regional cooperation in maintaining the balance of commitments and interests in such activities;

7. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular principles of human rights and refugee protection, and to lend high-level political support to ensure the implementation of activities undertaken in follow-up to the Programme of Action;

8. *Invites* the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to enhance their mutual relationship with other key international actors, such as the Council of Europe, the European Commission and human rights, development and financial institutions, in order better to address the wide-ranging and complex issues in activities undertaken in follow-up to the Programme of Action;

9. *Welcomes* the progress made in building civil society, in particular through the development of the non-governmental sector and the development of cooperation between non-governmental organizations and the Governments of a number of countries of the Commonwealth of Independent States, and notes in this regard the relationship between adherence to the principles of the Programme of Action and success in promoting civil society, especially in the field of human rights;

10. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of multinational constructive dialogue among a wide range of countries concerned;

11. *Emphasizes* the necessity of undertaking follow-up activities to the Programme of Action in relation to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

⁴ United Nations, *Treaty Series*, vol. 189, No. 2545.

⁵ *Ibid.*, vol. 606, No. 8791.

12. *Recognizes* the importance of taking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian, human rights and refugee law, to prevent situations that lead to new flows of refugees, displaced persons and other forms of involuntary displacement;

13. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the progress achieved in the implementation of activities undertaken in follow-up to the Programme of Action;

14. *Decides* to continue its consideration of the question at its sixtieth session.

*77th plenary meeting
22 December 2003*



General Assembly

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Fifty-eighth session
Agenda item 113

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/504)]

58/155. Situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,¹

Recalling also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,²

Recalling further the Declaration and Plan of Action adopted by the General Assembly at its twenty-seventh special session,³

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the continued grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

Emphasizing the importance of the safety and well-being of all children in the whole Middle East region,

Expressing its condemnation of all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children,

Deeply concerned about the severe consequences, including psychological consequences, of the Israeli military actions for the present and future well-being of Palestinian children,

1. *Stresses the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;*

¹ Resolution 44/25, annex.

² A/45/625, annex.

³ See resolution S-27/2, annex.

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child¹ and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,⁴ in order to ensure the well-being and protection of Palestinian children and their families;

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

77th plenary meeting
22 December 2003

⁴ United Nations, *Treaty Series*, vol. 75, No. 973.



General Assembly

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Fifty-eighth session
Agenda item 113

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/504)]

58/156. The girl child

The General Assembly,

Recalling its resolution 57/189 of 18 December 2002 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women¹ and the Convention on the Rights of the Child,²

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,³

Welcoming also the imminent entry into force, on 25 December 2003, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,⁴

Recalling the United Nations Millennium Declaration adopted on 8 September 2000,⁵

Reaffirming the outcome document entitled "A world fit for children" adopted by the General Assembly at its special session on children, on 10 May 2002,⁶

Reaffirming also the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session, on 27 June 2001,⁷

¹ Resolution 34/180, annex.

² Resolution 44/25, annex.

³ Resolution 54/263, annexes I and II.

⁴ Resolution 55/25, annex II.

⁵ See resolution 55/2.

⁶ Resolution S-27/2, annex.

⁷ Resolution S-26/2, annex.

Recalling all other relevant United Nations conferences, the Beijing Declaration⁸ and Platform for Action⁹ adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",¹⁰ and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development¹¹ and the Programme of Action of the World Summit for Social Development,¹²

Reaffirming the Dakar Framework for Action adopted at the World Education Forum,¹³

Recalling the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,¹⁴ and welcoming the Yokohama Global Commitment 2001, adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held at Yokohama, Japan, from 17 to 20 December 2001,¹⁵

Recognizing the efforts of the international community to strengthen the standards for combating sexual abuse and exploitation, and in this regard taking note of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse¹⁶ and other policies and codes of conduct developed by the United Nations system to prevent and address such incidents,

Recalling the International Conference on War-Affected Children, held at Winnipeg, Canada, from 10 to 17 September 2000, and affirming the ongoing importance of the Winnipeg Agenda for War-Affected Children¹⁷ for all children affected by armed conflict,

Recognizing the need to achieve gender equality to ensure a just and equitable world for girls,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

⁸ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annex I.

⁹ *Ibid.*, annex II.

¹⁰ Resolution S-23/2, annex, and resolution S-23/3, annex.

¹¹ Resolution S-21/2, annex.

¹² Resolution S-24/2, annex.

¹³ See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

¹⁴ A/51/385, annex.

¹⁵ See A/S-27/12, annex.

¹⁶ ST/SGB/2003/13.

¹⁷ A/55/467-S/2000/973, annex.

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and that their potential for full development is thus limited,

Concerned that the girl child has furthermore become the victim of sexually transmitted diseases and increasingly of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Concerned also by the increasing number of child-headed households particularly orphan girls, including those orphaned by the HIV/AIDS pandemic,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child² and the Convention on the Elimination of All Forms of Discrimination against Women,¹ as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing, ratifying or acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women¹⁸ and the Optional Protocols to the Convention on the Rights of the Child;³

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms and to take effective action against violations of those rights and freedoms;

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,¹³ in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration⁵ in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,⁹ as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,¹⁹ where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact

¹⁸ Resolution 54/4, annex.

¹⁹ Resolution S-23/3, annex.

and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Also urges* States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcomes of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"¹⁰ and the special session on children;⁶

8. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, health care, including sexual and reproductive health care, vaccinations, and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes;

9. *Also urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

10. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

11. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

12. *Urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

13. *Recognizes* that a considerable number of children, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation and children who are incarcerated, live without parental support, and in this regard urges States to take special measures to support such children and the institutions, facilities and services that care for them, and to build and strengthen children's abilities to protect themselves;

14. *Urges* States to take appropriate measures to address the needs of orphan girls by implementing national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans and girls and boys infected with and affected by

HIV/AIDS, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children; and to protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance;

15. *Also urges* States to take special measures for the protection of girls affected by armed conflicts and in particular to protect them from sexually transmitted diseases, such as HIV/AIDS, gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of girls affected by armed conflict in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

16. *Deplores* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers;

17. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for special initiatives designed to address all of the rights and needs of girls affected by armed conflicts;

18. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

19. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

20. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;²⁰

21. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their

²⁰ See A/53/226, paras. 72-77, and A/53/226/Add.1, paras. 88-98.

mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

22. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

23. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention is paid to the girl child infected with and affected by HIV/AIDS;

24. *Decides* to review the progress made in the protection and promotion of the rights and well-being of the girl child, and requests the Secretary-General to provide information relating to the girl child in his report on the follow-up to and implementation of the outcomes of the United Nations conferences and summits to be considered during the sixtieth session of the General Assembly.

*77th plenary meeting
22 December 2003*





General Assembly

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Fifty-eighth session
Agenda item 113

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/504)]

58/157. Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 57/190 of 18 December 2002, as well as Commission on Human Rights resolution 2003/86 of 25 April 2003,¹

Emphasizing that the Convention on the Rights of the Child² must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,³ as well as other relevant human rights instruments,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,⁴ and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993,⁵

Reaffirming further the United Nations Millennium Declaration⁶ and the Declaration of Commitment on HIV/AIDS,⁷

¹ See *Official Records of the Economic and Social Council, 2003, Supplement No. 3 (E/2003/23), chap. II, sect. A.*

² Resolution 44/25, annex.

³ Resolution 54/263, annexes I and II.

⁴ A/45/625, annex.

⁵ A/CONF.157/24 (Part I), chap. III.

⁶ See resolution 55/2.

⁷ Resolution S-26/2, annex.

Reaffirming the outcome document of the special session of the General Assembly on children, entitled "A world fit for children",⁸ and the commitments contained therein to promote and protect the rights of each child, every human being below the age of 18 years, including adolescents, and the integration of child rights issues into the outcome documents of all major United Nations conferences, special sessions and summits,

Reaffirming also the essential roles of the General Assembly, the Economic and Social Council and the Commission on Human Rights in promoting and protecting the rights and welfare of children, and noting the importance of the debates held by the Security Council on children and armed conflict, of Council resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 and of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in these operations,

Welcoming the reports of the Secretary-General on the status of the Convention on the Rights of the Child⁹ and on progress achieved in realizing the commitments set out in the document entitled "A world fit for children",¹⁰ and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,¹¹

Welcoming also the work of the Committee on the Rights of the Child in examining the progress made by States parties to the Convention in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on the implementation of the Convention and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in enhancing awareness of the principles and provisions of the Convention,

Welcoming further the increase in the membership of the Committee on the Rights of the Child from ten to eighteen,

Welcoming the appointment by the Secretary-General of the independent expert for the United Nations study on violence against children,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized economic environment, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Bearing in mind the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001–2010, and recalling the Declaration and Programme of Action on a Culture of Peace,¹² which serve as the basis for the Decade,

⁸ Resolution S-27/2, annex.

⁹ A/58/282.

¹⁰ A/58/333.

¹¹ See A/58/328 and Corr.1.

¹² Resolutions 53/243 A and B.

Recognizing that the family is the basic unit of society and as such should be strengthened, that it is entitled to receive comprehensive protection and support, that the primary responsibility for the protection, upbringing and development of children rests with the family and that all institutions of society should respect the rights of the child and secure his or her well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that in different cultural, social and political systems, various forms of family exist,

Recognizing also that partnership among Governments, international organizations and relevant organs and organizations of the United Nations system, in particular the United Nations Children's Fund, and all actors of civil society, including non-governmental organizations, as well as the private sector, is important for the realization of the rights of the child,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

1. *Urges* States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child² as a matter of priority, and urges States parties to implement it fully, while stressing that the implementation of the Convention and the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children are mutually reinforcing;

2. *Expresses its concern* about the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations with a view to withdrawing them;

3. *Urges* States that have not yet done so to consider signing and ratifying or acceding to the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,³ and urges States parties to implement them fully;

4. *Calls upon* States parties to ensure that the rights set forth in the Convention are respected without discrimination of any kind and that the best interest of the child is a primary consideration in all actions concerning children, to recognize the child's inherent right to life and to ensure the child's survival and development to the maximum extent possible and to ensure also that the child is able to express his or her views freely in all matters affecting him or her and that these views are listened to and given due weight in accordance with his or her age and maturity;

5. *Urges* States parties to take all appropriate measures for the implementation of the rights recognized in the Convention, bearing in mind article 4 of the Convention, by:

(a) Putting in place effective national legislation, policies and action plans and by strengthening relevant governmental structures for children, including,

where appropriate, ministers in charge of child issues and independent commissioners for the rights of the child;

(b) Ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

6. *Calls upon* States parties:

(a) To ensure that the members of the Committee on the Rights of the Child are of high moral standing and recognized competence in the field covered by the Convention, and serve in their personal capacity, consideration being given to equitable geographical distribution as well as to the principal legal systems;

(b) To strengthen their cooperation with the Committee and to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

7. *Calls upon* all States and relevant actors concerned to continue to cooperate with the special rapporteurs and special representatives of the United Nations system in the implementation of their mandates, requests the Secretary-General to provide them with appropriate staff and facilities from the United Nations regular budget, when this is in accordance with their respective mandates, invites States to continue to make voluntary contributions, where appropriate, and urges all relevant parts of the United Nations system to provide them with comprehensive reporting to make possible the full discharge of their mandates;

8. *Calls upon* all States to end impunity for perpetrators of crimes committed against children, recognizing in this regard the contribution of the establishment of the International Criminal Court as a way to prevent violations of human rights and international humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, and to bring perpetrators of such crimes to justice, and not to grant amnesties for these crimes;

9. *Encourages* all States:

(a) To strengthen their national statistical capacities and to use statistics disaggregated, *inter alia*, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

(b) To strengthen their partnership with United Nations organs, within their respective mandates, the Bretton Woods institutions and other multilateral agencies, as well as other relevant actors;

10. *Requests* all relevant organs of the United Nations system, the Office of the United Nations High Commissioner for Human Rights and United Nations mechanisms regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to

ensure that their staff is trained in child protection matters, and calls upon States to cooperate closely with them;

11. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund in order to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends that body for its work to disseminate lessons learned in the implementation of the Convention;

Promoting and protecting the rights of children and non-discrimination against children, including children in particularly difficult situations

Identity, family relations and birth registration

12. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

13. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to speedily re-establishing his or her identity;

14. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

15. *Calls upon* States to guarantee, to the extent consistent with each State's obligations, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

16. *Urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

17. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in the adoption of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions that do not follow the normal procedures;

18. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

19. *Urges* States to address cases of international kidnapping of children by one of the parents;

Poverty

20. *Reaffirms* that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

21. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all of these levels, in order to ensure that all the development and poverty eradication goals, as set out in the United Nations Millennium Declaration,⁶ are realized within their time framework, and to promote the enjoyment of the rights of the child;

Health

22. *Calls upon* all States to take all appropriate measures to develop sustainable health systems and social services and to ensure access to such systems and services without discrimination and to pay particular attention to adequate food and nutrition to prevent disease and malnutrition, to prenatal and post-natal health care, to the special needs of adolescents, to reproductive and sexual health and to threats from substance abuse and violence, in particular to all vulnerable groups, and calls upon all States parties to take all necessary measures to ensure the right of all children, without discrimination, to the enjoyment of the highest attainable standard of health;

23. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

24. *Calls upon* all States to give support and rehabilitation to children and their families affected by HIV/AIDS and to involve children and their caregivers, as well as the private sector, to ensure the effective prevention of HIV infections through correct information and access to voluntary and confidential care, treatment and testing, including pharmaceutical products and medical technologies, affordable to all, giving due importance to the prevention of mother-to-child transmission of the virus;

Education

25. *Also calls upon* all States:

(a) To recognize the right to education on the basis of equal opportunity by making primary education compulsory and available free to all without discrimination, by ensuring that all children, including girls, children in need of special protection, children with disabilities, indigenous children, children belonging to minorities and children from different ethnic origins, have access without discrimination to education of good quality, as well as by making secondary education generally available and accessible to all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and to ensure that the education of the child is carried out and States parties develop and implement programmes for the education of the child in accordance with articles 28 and 29 of the Convention;

(b) To develop national plans of action, or to strengthen existing ones, in order to achieve the objectives of Education for All so as to ensure that all boys and girls complete a full course of primary schooling, and reaffirms the coordinating role of the United Nations Educational, Scientific and Cultural Organization in this regard;

(c) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular to enable them to continue and complete their education;

(d) To promote an educational setting that eliminates all barriers that impede the schooling of pregnant adolescents and adolescent mothers;

(e) To take all appropriate measures to prevent racism and discriminatory and xenophobic attitudes and behaviour through education, keeping in mind the important role that children play in changing those practices;

(f) To ensure that children, from an early age, benefit from education and from participation in activities that develop respect for human rights and emphasize the practice of non-violence, with the aim of instilling in them the values and goals of a culture of peace, and invites States to develop national strategies for human rights education that are comprehensive, participatory and effective;

(g) To ensure that education programmes and materials reflect fully the promotion and protection of human rights and values of peace, tolerance and gender equality, using every opportunity presented by the International Decade for a Culture of Peace and Non-Violence for the Children of the World, 2001-2010;

(h) To harness the rapidly evolving information and communication technologies to support education at an affordable cost, including open and distance education, while reducing inequality in access and quality;

26. *Urges States:*

(a) To take measures to protect students from violence, injury or abuse, including sexual abuse and intimidation or maltreatment in schools, to establish complaint mechanisms that are age-appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(b) To take measures to eliminate the use of corporal punishment in schools;

Freedom from violence

27. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

28. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

29. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

Non-discrimination

30. *Calls upon* all States to ensure that children are entitled to their civil, political, economic, social and cultural rights without discrimination of any kind;

31. *Notes with concern* the large number of children, particularly girls, among the victims of racism, racial discrimination, xenophobia and related intolerance, and stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, in order to give priority attention to the rights and the situation of children who are victims of these practices, and calls upon States to provide special support and ensure equal access to services for those children;

32. *Calls upon* all States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist not to deny to a child belonging to such a minority or an indigenous child the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language;

The girl child

33. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

(a) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

(b) To eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, the root causes of son preference, marriages without free and full consent of the intending spouses, early marriages and forced sterilization, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

Children with disabilities

34. *Also calls upon* all States to take necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them to ensure their dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

35. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

Migrant children

36. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights as well as access to health care, social services and education of good quality and to ensure that migrant children, and especially those who are unaccompanied, in particular victims of violence and exploitation, receive special protection and assistance;

Children working and/or living on the street

37. *Also calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary executions, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

Refugee and internally displaced children

38. *Further calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

Child labour

39. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

40. *Urges* all States that have not yet done so to consider ratifying the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization, and calls upon States parties to those instruments to implement them fully and to comply in a timely manner with their reporting obligations;

Children alleged to have infringed or recognized as having infringed penal law

41. *Calls upon:*

(a) All States, in particular States in which the death penalty has not been abolished, to comply with their obligations as assumed under relevant provisions of international human rights instruments, including, in particular, articles 37 and 40 of the Convention on the Rights of the Child² and articles 6 and 14 of the International Covenant on Civil and Political Rights,¹³ keeping in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and calls upon those States to abolish by law, as soon as possible, the death penalty for those below the age of 18 years at the time of the commission of the offence;

(b) All States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(c) All States to take appropriate steps to ensure compliance with the principle that depriving children of their liberty should be used only as a measure of last resort and for the shortest appropriate period of time, in particular before trial, and to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and are separated from adults, to the greatest extent feasible, unless it is considered in their best interest not to do so, and also to take appropriate steps to ensure that no child in detention is sentenced to forced labour or corporal punishment or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training, taking into consideration the special needs of children with disabilities in detention, in accordance with their obligations under the Convention;

Recovery and social reintegration

42. *Encourages* States to cooperate, including through bilateral and multilateral technical cooperation and financial assistance, in the implementation of their obligations under the Convention, including in the prevention of any activity contrary to the rights of the child and in the rehabilitation and social integration of the victims, such assistance and cooperation to be undertaken in consultation among concerned States and relevant international organizations as well as other relevant actors;

Prevention and eradication of the sale of children, child prostitution and child pornography

43. *Calls upon* all States:

(a) To take all appropriate national, bilateral and multilateral measures, inter alia, to develop national laws and allocate resources for the development of long-term policies, programmes and practices and to collect comprehensive data, disaggregated by age, gender and other relevant factors, to facilitate the participation of child victims of sexual exploitation in the development of strategies, taking into account their age and maturity, and to ensure the effective implementation of relevant international instruments concerning the prevention and

¹³ See resolution 2200 A (XXI), annex.

the combating of trafficking and sale of children for any purpose or in any form, including the transfer of the organs of the child for profit, child prostitution and child pornography, and encourages all actors of civil society, the private sector and the media to cooperate in efforts to this end;

(b) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

(c) To consider ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;¹⁴

(d) To criminalize and effectively penalize all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, the sale of children and their organs, and the use of the Internet for these purposes, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interests of the child shall be a primary consideration, and to take effective measures against the criminalization of children who are victims of exploitation and effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country where the crime was committed, or in the country of which the offender is a national or resident, or in the country of which the victim is a national, or on any other basis permitted under domestic law in accordance with due process of law;

(e) In cases of the sale of children, child prostitution and child pornography, to address effectively the needs of victims, including their physical and psychological recovery and full reintegration into their family and society;

(f) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(g) To afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,¹⁵ including assistance in obtaining evidence at their disposal for the proceedings;

(h) To contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children;

¹⁴ Resolution 55/25, annex II.

¹⁵ Resolution 54/263, annex II.

Children in armed conflict

44. *Recognizes* the inclusion in the Rome Statute of the International Criminal Court,¹⁶ as a war crime, of crimes involving sexual violence and crimes of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts;

45. *Urges* all States and all other parties to armed conflicts to end the recruitment and use of children in situations of armed conflict contrary to international law and to ensure their demobilization, effective disarmament and rehabilitation, physical and psychological recovery and reintegration into society;

46. *Urges* all States:

(a) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,¹⁷ to raise the minimum age for voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons below the age of 18 years are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(b) To protect children affected by armed conflict, in particular to protect them from acts that constitute violations of international humanitarian law and human rights law and to ensure that they receive timely, effective and unhindered humanitarian assistance as well as support for physical and psychological recovery;

47. *Emphasizes* the importance of giving systematic consideration to the rights, special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

48. *Regrets* the fact that the report on a comprehensive assessment of the United Nations response to the issue of children affected by armed conflict, requested in resolution 57/190, has not yet been submitted, and reiterates its request to the Secretary-General to submit his report for consideration as soon as possible;

Follow-up

49. *Urges* those States that have not yet done so to complete a national action plan as soon as possible incorporating the goals agreed at the special session of the General Assembly on children, as reflected in its outcome document entitled "A world fit for children",⁸ and to place those goals within the framework of the Convention on the Rights of the Child;²

50. *Decides*:

(a) To request the Secretary-General to prepare an updated report on progress achieved in realizing the commitments set out in the document entitled "A world fit for children", with a view to identifying problems and constraints and making recommendations on the action needed to achieve further progress, and to submit his report to the General Assembly at its fifty-ninth session;

¹⁶ Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June–17 July 1998, vol. I: Final documents (United Nations publication, Sales No. E.02.I.5), sect. A.

¹⁷ Resolution 54/263, annex I.

(b) To request the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the rights of the child containing information on the status of the Convention and the problems addressed in the present resolution;

(c) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit to the General Assembly, the Security Council and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, taking into account the outcome document adopted by the General Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies;

(d) To request the independent expert for the United Nations study on violence against children to conduct the study as soon as possible, invites Member States, United Nations bodies and organizations, including the Committee on the Rights of the Child, as well as other relevant intergovernmental organizations, to provide substantive and, where appropriate, financial support, including through voluntary contributions, for the effective conduct of the study, invites non-governmental organizations to contribute to the study, taking into account the recommendations of the Committee made following the general discussions on violence against children held in September 2000 and 2001, and encourages the independent expert to also seek the participation of children in the study, taking into account their age and maturity;

(e) To invite the independent expert for the United Nations study on violence against children to present an oral progress report on the study to the General Assembly at its fifty-ninth session;

(f) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee, and invites the Committee to continue to enhance its constructive dialogue with the States parties to the Convention and its transparent and effective functioning;

(g) To continue its consideration of this question at its fifty-ninth session under the item entitled "Promotion and protection of the rights of children".

*77th plenary meeting
22 December 2003*



General Assembly

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Resolution adopted by the General Assembly

[on the report of the Third Committee (A/58/505)]

58/158. International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 57/192 of 18 December 2002 and previous resolutions on the International Decade of the World's Indigenous People, including resolution 50/157 of 21 December 1995, by which it adopted the programme of activities for the Decade,

Recalling also its resolution 40/131 of 13 December 1985, by which it established the United Nations Voluntary Fund for Indigenous Populations, and its resolution 57/191 of 18 December 2002, as a result of which the Trust Fund in Support of the Permanent Forum on Indigenous Issues was established,

Recalling further that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Welcoming, in this respect, the contributions to the realization of the goals of the Decade made by the Permanent Forum on Indigenous Issues at its first and second sessions, held in New York from 13 to 24 May 2002 and from 12 to 23 May 2003, respectively,

Welcoming also the contributions to the realization of the goals of the Decade made by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 8 September 2001, and the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,

Welcoming further the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people, submitted to the Commission on Human Rights at its fifty-eighth¹ and fifty-ninth² sessions,

¹ E/CN.4/2002/97 and Add.1.

² E/CN.4/2003/90 and Add.1-3.

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to use their best efforts to achieve the goals of the Decade,

1. *Takes note* of the note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the implementation of the programme of activities for the International Decade of the World's Indigenous People;¹

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the Decade:

(a) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of his or her functions, the special concerns of indigenous people;

(b) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(c) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;²

6. *Welcomes* the active consideration by the Permanent Forum on Indigenous Issues of a number of topics pertaining to the Decade, as reflected in its report to the Economic and Social Council on its second session,³ and encourages the Forum to continue to work towards the realization of the goals of the Decade;

¹ A/58/289.

² See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

³ *Ibid.*, 2003, Supplement No. 23 (E/2003/43).

7. *Encourages Governments to support the Decade by:*

(a) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(b) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(c) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(d) Contributing to the following funds:

(i) The United Nations Trust Fund for the International Decade of the World's Indigenous People;

(ii) The United Nations Voluntary Fund for Indigenous Populations, in order to assist indigenous representatives in participating in the Permanent Forum on Indigenous Issues, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(iii) The Trust Fund in Support of the Permanent Forum on Indigenous Issues;

(iv) The Fund for the Development of Indigenous Peoples in Latin America and the Caribbean;

(e) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites United Nations financial and development institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:*

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, inter alia, through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for the coordination of activities relating to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Recommends that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant United Nations conferences;*

10. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities for the Decade to the General Assembly at its fifty-ninth session;

11. *Takes note* of Economic and Social Council decision 2003/306 of 25 July 2003 concerning the initiation of its review of the Decade, pursuant to General Assembly resolution 50/157;

12. *Decides* to include in the provisional agenda of its fifty-ninth session an item entitled "Programme of activities for the International Decade of the World's Indigenous People, 1995-2004".

*77th plenary meeting
22 December 2003*